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October 15, 2004

Hon. Bradley A. Smith, Chairman  
Hon. Ellen L. Weintraub, Vice Chair  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR #5525—Mr. Bob Perry

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
2004 OCT 21 A 10:16

Dear Mr. Chairman and Madam Vice Chair:

We represent Mr. Bob Perry in the above-referenced matter. Pursuant to a letter dated September 30, 2004, our response is due by the close of business on or before October 18, 2004. Please accept this letter as our response.

The above-referenced Complaint alleges that Mr. Perry has violated the Federal Election Campaign Act by somehow coordinating his donations to Swift Boat Veterans for Truth with others in such a manner as to constitute an illegal contribution and/or expenditure to Bush-Cheney 2004. Conspicuously absent from the Complaint, however, are any facts or allegations demonstrating that Mr. Perry has engaged in such behavior. To the contrary, Mr. Perry at no time whatsoever even communicated, much less coordinated, with any individual or entity who was, to his knowledge or belief, an employee or agent of the Bush-Cheney campaign, concerning anything to do with Swift Boat Veterans for Truth or the public communications which were aired by that group. Indeed, Mr. Perry decided to give personal funds to this group without any request, solicitation, input or other exchange by any employee or agent of the Bush-Cheney campaign and Mr. Perry. Furthermore, Mr. Perry at no time informed any employee or agent of the Bush-Cheney campaign that he intended to make any such donations or that he had in fact made such donations. Nor did any employee or agent of the Bush-Cheney campaign request Mr. Perry to provide such assistance.

Accordingly, the facts do not demonstrate that Mr. Perry engaged in a coordinated communication under federal law, including Section 109.21 of Title 11 of the Code of Federal Regulations. Moreover, there are no facts supporting a finding that any of the conduct standards in paragraph (d) of that section have occurred. Mr. Perry therefore respectfully requests that the Commission promptly dismiss this Complaint on the grounds that there is no reason to believe that any federal laws were violated.

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If you have any questions or need additional information, please feel free to contact me directly at 713-222-1817.

Very truly yours,

A handwritten signature in cursive script that reads "Andy Taylor". The signature is fluid and extends to the right with a long horizontal stroke.

Andy Taylor

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